Docket No.: 102258.133 US2 PATENT/OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

David S. GARVEY

Serial No. unassigned : Group Art Unit:

Filed: herewith : Examiner:

For: NITROSATED AND NITROSYLATED NEBIVOLOL AND ITS METABOLITES,

COMPOSITIONS AND METHODS OF USE

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

In accordance with 37 C.F.R. § 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search had been made or that information cited is, or is considered to be, material to patentability as defined in 37 C.F.R.§ 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of

1

publication indicated for an item is taken from the face of the item, and Applicant reserves the right to prove that the date of publication is in fact different.

The references listed on page 3 of Form PTO-1449 were cited in the prosecution of the corresponding PCT patent application, are enclosed. Copies of any cited U.S. Patents and U.S. Patent Publications are not being submitted in accordance with 37 CFR 1.98(a)(2)(i). A copy of the search report for the PCT patent application is enclosed.

No fee is believed to be required; however, the Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 08-0219.

Respectfully submitted,

ADE AND DORR LLP

Edward D Grieff Registration No. 38,89

1455 Pennsylvania Avenue, NW Washington, DC 20004

TEL 202.942.8400 EDG/lrm

FAX 202,942.8484

Date: October 29, 2003

SHEET 1 OF 1

SERIAL NO. ATTY. DOCKET NO. 102258.133 US2 Unassigned INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449) APPLICANT David S. Garvey FILING DATE **GROUP** herewith **U.S. PATENT DOCUMENTS FILING EXAMINER'S SUBCLASS** DATE CLASS PATENT NO. NAME DATE **INITIALS** 10/12/84 Van Lommen et al. 03/31/87 4,654,362 07/09/96 5,759,580 06/02/98 Jans et al. 06/16/97 de Chaffoy de Courcelles et al. 02/23/99 5,874,461 FOREIGN PATENT DOCUMENTS Translation **EXAMINER'S SUBCLASS** COUNTRY CLASS DATE INITIALS PATENT NO. No OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) 05 June 2003. International Search Report for PCT/US02/13667. DATE CONSIDERED **EXAMINER**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.